

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

JOHN COLIN SUTTLES, individually and on §  
behalf of all others similarly situated, §

v. §

MUTUAL OF OMAHA INSURANCE §  
COMPANY, and §  
SUTHERLAND GLOBAL SERVICES, INC. §

C.A. 1:14-CV-00752-SS

JURY TRIAL DEMANDED

**PLAINTIFF’S UNOPPOSED MOTION TO EXTEND TIME FOR PLAINTIFF TO  
RESPOND TO DEFENDANTS’ MOTION TO DISMISS AND  
DEFENDANTS’ REPLY TO PLAINTIFFS’ RESPONSE**

TO THE HONORABLE SAM SPARKS:

John Colin Suttles, individually and on behalf of all others similarly situated (“Plaintiff”), files this unopposed motion to extend time to respond to Defendants Mutual of Omaha Insurance Company’s, and Sutherland Global Services, Inc.’s (collectively, “Defendants”) motion to dismiss, as authorized by Rule 6(b) of the FEDERAL RULES OF CIVIL PROCEDURE, and would show the following:

**A. PLAINTIFFS’ REQUEST FOR EXTENSION OF TIME TO RESPOND**

On March 9, 2015, Defendants filed a Motion to Dismiss (Doc. No. 34). Pursuant to Local Rule CV-7(e)(2), the current deadline for Plaintiffs’ response is March 23, 2015. Given the complexity of this case and the issues before the Court, Plaintiff requests the Court extend the deadline for Plaintiff’s response until Wednesday, April 22, 2015. Counsel for Plaintiff has conferred with counsel for Defendants, and they are not opposed to this motion or the relief sought herein.

## **B. DEFENDANTS' REQUEST FOR EXTENSION OF TIME TO REPLY**

If this Court grants the parties' agreed motion to extend the deadline for Plaintiff's response until Wednesday, April 22, 2015, then Plaintiff requests the Court extend the deadline for Defendants' reply to Plaintiffs' Response to Wednesday, May 6, 2015.

## **CONCLUSION**

For these reasons, Plaintiff respectfully asks the Court to (1) extend the time and deadline for Plaintiff's response to Defendants' Motion to Dismiss until Wednesday, April 22, 2015, and (2) extend the deadline for Defendants' reply to Plaintiff's Response until Wednesday, May 6, 2015.

Respectfully Submitted:

**HUGHES ELLZEY, LLP**

/s/ W. Craft Hughes

W. Craft Hughes

*Attorney-in-Charge*

Texas Bar No. 24046123

E-Mail: [craft@hughesellzey.com](mailto:craft@hughesellzey.com)

Jarrett L. Ellzey

Texas Bar No. 24040864

E-Mail: [jarrett@hughesellzey.com](mailto:jarrett@hughesellzey.com)

2700 Post Oak Blvd., Ste. 1120

Galleria Tower I

Houston, TX 77056

Phone: (713) 554-2377

Fax: (888) 995-3335

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I certify a copy of the foregoing document was filed in accordance with the protocols for e-filing in the United States District Court for the Western District of Texas, Austin Division, on March 19, 2015, and served on all counsel of record who have consented to electronic notification via CM/ECF.

/s/ Jarrett L. Ellzey  
Jarrett L. Ellzey